

WIP QUESTIONS OCTOBER 5, 2010

1. Why would EPA propose significant WTPs in

West Virginia, Delaware, New York, and Pennsylvania discharge at

	<u>If Applied to Virginia – Reduces Loads by</u>
TN = 3.00 mg/l	8.30 million pounds
TP = 0.10 mg/l	1.14 million pounds

And then propose Virginia and Maryland at

	<u>If Applied to Virginia – Reduces Loads by</u>
TN = 4.00 mg/l	5.70 million pounds
TP = 0.30 mg/l	0.54 million pounds

When:

- a. For over a decade, Potomac embayment plants currently have been operating under

	<u>If Expanded in Virginia – Reduces Loads by</u>
TN = 3.00 mg/l	8.30 million pounds
TP = 0.18 mg/l	0.87 million pounds

- b. WTPs are proven, easy to regulate, have a funding source (i.e., water/sewer bills and tap fees), reduce pollutants at a cost that is an order of magnitude less than urban retrofits, and, thus, meet the reasonable assurance test.

2. What does your backstop mean by “50% of urban MS4 and 25% of unregulated lands meet aggressive performance standard through retrofit/redevelopment?” Please specify what this numeric standard means (in terms of water quantity and quality) and tell us where it is described in the TMDL. For example, on page 8-14 of the *DRAFT Chesapeake Bay TMDL*, you indicate 50% of ultra-urban regions (still need numeric definition) must provide impervious cover reductions (e.g., cisterns and collections systems to capture rainwater for reuse) – but this fails to tell us what volume must be collected and what rate that this rain water must be used at. In other urban regions, you require infiltration practices for 60% of the area. How do you propose to accomplish infiltration in areas of high water tables, shallow rock, and low permeability soils?
3. How do you account for disconnected impervious lands in low density areas being a BMP in itself (i.e., the Occoquan down zoning rationale) when you ask for this aggressive treatment of unregulated lands? Many regulators/engineers/scientists believe that such areas have little impact on the environment; do you disagree?
4. What do you mean in your WIP evaluation by:

Construction: Erosion and sediment control on all lands subject to Construction General Permit?

- a. Currently, it is regulated at 2,500 square feet in RMAs, 10,000 square feet by most localities, and one acre elsewhere under VSMP. What threshold does EPA propose?
- b. Are you suggesting different design standards, different stabilization deadlines, or NTU requirements?
5. Are you aware of current Stormwater Regulation RAP deliberations in terms of new development and re-development standards? If so, do you concur with its direction?